

REMARKS

By the foregoing amendment, claims 1-20, 22-24, 26, 28, 30, 32-34, 36, 37, 39, 40, 42, 44, 46 and 48 are canceled. Claims 21, 25 and 35 are amended. Claims 50-57 are added. No new matter has been added by the foregoing amendment.

The pending claims are 21, 25, 27, 29, 31, 35, 38, 41, 43, 45, 47 and 49-57.

In the Office Action dated May 28, 2004, the Office identified allowable subject matter. While Applicants are not conceding agreement with the Office Action's rejections under 35 USC § 112, first and second paragraphs, Applicants have amended the claims to conform to the indicated allowable subject matter. Applicants respectfully submit that the claims as amended are allowable for reasons set forth in the Office Action, in particular at paragraph 8, headed "Comments/Notes".

The Office Action identified the following group of compounds as being distinguished over the prior art and enabled:

(Chelator)-(Xaa)₂₋₆-(Lys,Arg)-(alkylating group)-uPA;

(Label-Chelator)-(Xaa)₂₋₆-(Lys,Arg)-(alkylating group -uPA;

(Label)-(Xaa)₂₋₆-(Lys,Arg)-(alkylating group)-uPA; and

(Therapeutic moiety)-(Xaa)₂₋₆-(Lys,Arg)-(alkylating group)-uPA,

Applicants submit that all the pending claims, including those newly added by the foregoing amendment, are limited to members of the group of compounds that were indicated by the Office Action to be allowable. Accordingly, Applicants submit that the pending claims are allowable for reasons stated in the Office Action.

In particular, Claim 21 has been amended to recite the group of compounds that the Office Action indicated to be allowable. Claim 25 has been amended to depend only from claim 21, the other claims from which it was previously dependent having been canceled. Claim 35 has been amended to improve its form, the recitation of "to which is bound ... moiety" being deemed mere surplusage. Claims 50-53 have been added to claim individually the compounds belonging to the group recited in claim 21. Claims 54-57 have been added to recite individually compositions comprising the compounds recited in claims 50-53. These claims correspond to claim 35, being limited to the individual compounds recited in claim 50-53.

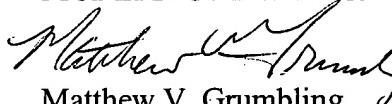
Applicants submit that the foregoing amendments are fully supported by the originally filed specification and are allowable for the reasons given in the Office Action.

CONCLUSION

In light of the amendments and remarks herein, Applicants submit that the claims are now in condition for allowance and respectfully request a notice to this effect. Should the Examiner have any questions or suggestions for expediting prosecution, he is invited to the undersigned.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP


Matthew V. Grumblng
Registration No. 44,427

4370 La Jolla Village Drive, Suite 700
San Diego, CA 92122

858.535.9001 MVG:cej
Facsimile: 858.597.1585
Date: August 5, 2004